

**Remarks/Arguments:**

**Section 112 Rejections**

As requested, claims 1-4, 6, 7, 12-15, 17, 18, 25 and 26 have been amended by deleting "or". Claims 11 and 24 have now been canceled.

**Section 103 Rejections**

Claims 1-29 have been rejected as being obvious in view of Roos, Johnson and/or Yablonowski. Applicants respectfully submit that this rejection is overcome for the reasons set forth below.

Amended claim 27 now includes features which are not suggested by the cited references, namely:

- (a) obtaining by a user, from an appliance provider, **separate from an electric power provider**, an appliance at a special purchase price;
- (c) measuring the value of the electric power consumed by the appliance when operating in step (b);
- (d) transmitting the measurement value of the electric power consumed in step (c) to a computer database;
- (f) charging the user by the electric power provider a predetermined fee for the amount of power accumulated in step (e) **at a higher rate than a conventional rate charged by the electric power provider for consumed electricity**; and
- (g) providing, **by the electric power provider**, a portion of the calculated fee charged to the user in step (f) to the **separate** appliance provider to offset the special purchase price in step (a).

Basis for amended claim 27 may be seen, for example, in Fig. 3. As shown, user 25 may obtain from an appliance provider (shown as manufacturer 26) an appliance at a special purchase price 30. As also shown, the **appliance provider is a separate entity from the electric power provider** (shown as power company 13).

As also shown, for example, in Fig. 1, the electric power consumed by the appliance is separately measured and transmitted to a computer data base. For example, the power consumed by specially-priced air conditioner 5 is **separately measured** and transmitted by unit 4 to the data base. The power consumed by conventional air conditioner 7 is **separately measured** and transmitted by unit 6 to the data base.

As further shown in Fig. 2, for example, the fee charged by the power provider for the amount of power consumed by the specially-priced appliance is set at a **higher rate than a conventional rate** charged for another appliance. A **portion of the calculated fee charged to the user is provided to the appliance provider, the appliance provider being separate from the power provider.**

Roos discloses a method for providing an interface box between a digital network and a home. As admitted by the Office Action at page 3, Roos does **not** suggest **purchasing** the appliance **at a special price**, where a part of the fee paid is allocated to the manufacturer (the appliance provider) that has sold the appliance. Furthermore, Applicants submit that Roos does **not** suggest **separately measuring** the electric power consumed by the special appliance and transmitting the measurement value to a computer data base. Instead, Roos discloses measuring all power consumed in the house using one standard meter, or one interface box. Roos does **not separately measure power consumed by a specially-purchased appliance**. Furthermore, Roos does not suggest obtaining by a user from an appliance provider, who is a **separate entity from an electric power provider**, an appliance at a **special purchase price**.

Johnson discloses a computer assisted sales system for utilities, where rebates are provided for purchasing or installing more energy efficient equipment. Johnson, however, does **not** suggest obtaining by a user from an appliance provider, who is a **separate entity** from an electric power provider, an appliance at a **special purchase price**. Johnson also does **not** suggest charging the user, by the electric power provider, a fee for the power consumed by the appliance at a **higher rate than a conventional rate** charged by the electric power provider for consumed electricity. Furthermore, Johnson does **not** disclose or suggest **providing by the electric power provider a portion of the calculated fee charged to the user to the separate appliance provider to offset the special purchase price.**

Yablonowski discloses a method for charging a fee to a user, where a power saving device is retrofitted into a user's facility and the fee is determined as a function of a difference between the original power consumed and the new power consumed. Yablonowski discloses a lighting system that is upgraded by the electric power provider. The electric power provider provides both the upgraded system and the electricity. Yablonowski discloses, for example in Fig. 2, a single electric utility meter 9 for measuring the entire electric power consumed by the user.

Yablonowski, however, does **not** disclose a **separate electric utility meter** for measuring the amount of energy consumed by the upgraded lighting facility. Yablonowski uses the **same meter** before the system is upgraded and the **same meter** after the system is upgraded. Furthermore, Yablonowski does **not** suggest a **an appliance provider that is a separate entity from the electric power provider**. Moreover, Yablonowski does **not** suggest providing by the electric power provider a **portion of the fee charged to the separate appliance provider to offset the special purchase price by the user**.

It is respectfully submitted that amended claim 27 is now distinguishable over the cited references. Favorable reconsideration is requested for amended claim 27.

### **Newly Added Claim 30**

Claim 30 further limits claim 27 by reciting that the measured value of the electric power consumed by the appliance is **separately measured** from the power consumed by other appliances being operated by the user.

Basis for this feature may be seen, for example, in Fig. 1 which shows specially priced exclusive air conditioner 5 controlled (including measured) by power management unit 4, and conventional air conditioner 7 controlled and (including measured) by power management unit 6.

None of the cited references suggest measuring the power consumed by the special appliance separately from the power consumed by a conventional appliance. Favorable consideration is requested for newly added claim 30.

Although not the same, claims 1, 2, 3, 12, 13 and 14 include features similar to amended claim 27. These amended claims are, therefore, not subject to rejection in view of

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the cited references for the same reasons set forth for amended claim 27. Favorable reconsideration is requested.

**Conclusion**

Claims 1-10, 12-23 and 25-30 are in condition for allowance.

Respectfully submitted,

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